

DBHDS

Virginia Department of
**Behavioral Health and
Developmental Services**

The Virginia Center for Behavioral Rehabilitation Brunswick Step-Down Proposal

Senate Finance Committee
January 20, 2011

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Deputy Commissioner

Sexually Violent Predators (SVP) Civil Commitment Mandate

1998 – GA created a system of screening, evaluating and treating persons found to be SVP:

- Convicted of a SVP predicate crime or found Unrestorably Incompetent to Stand Trial for same.
- Found to score at or above the qualifying threshold on the RRASOR.
- Evaluated by DBHDS, processed by the Commitment Review Committee, taken to trial for commitment by OAG, and found by the court to meet the SVP criteria.
- Committed by the court to DBHDS Commissioner for treatment. The goal of psycho-social treatment program is to reduce the reoffense risk of residents.

SVP Secure Care

- **2003** – GA directed DBHDS to construct and operate a secure facility for the control, care, and treatment of persons found SVP. DBHDS converted existing facilities at SVTC to temporarily house the Virginia Center for Behavioral Rehabilitation (VCBR).
- **2006** – GA expanded the list of SVP qualifying crimes, increasing the number of persons becoming eligible for SVP civil commitment and changed the actuarial screening instrument from the RRASOR to the Static-99.
- **2008** – DBHDS opened the new 300 bed VCBR, \$62M SVP facility in Burkeville in Nottoway County.

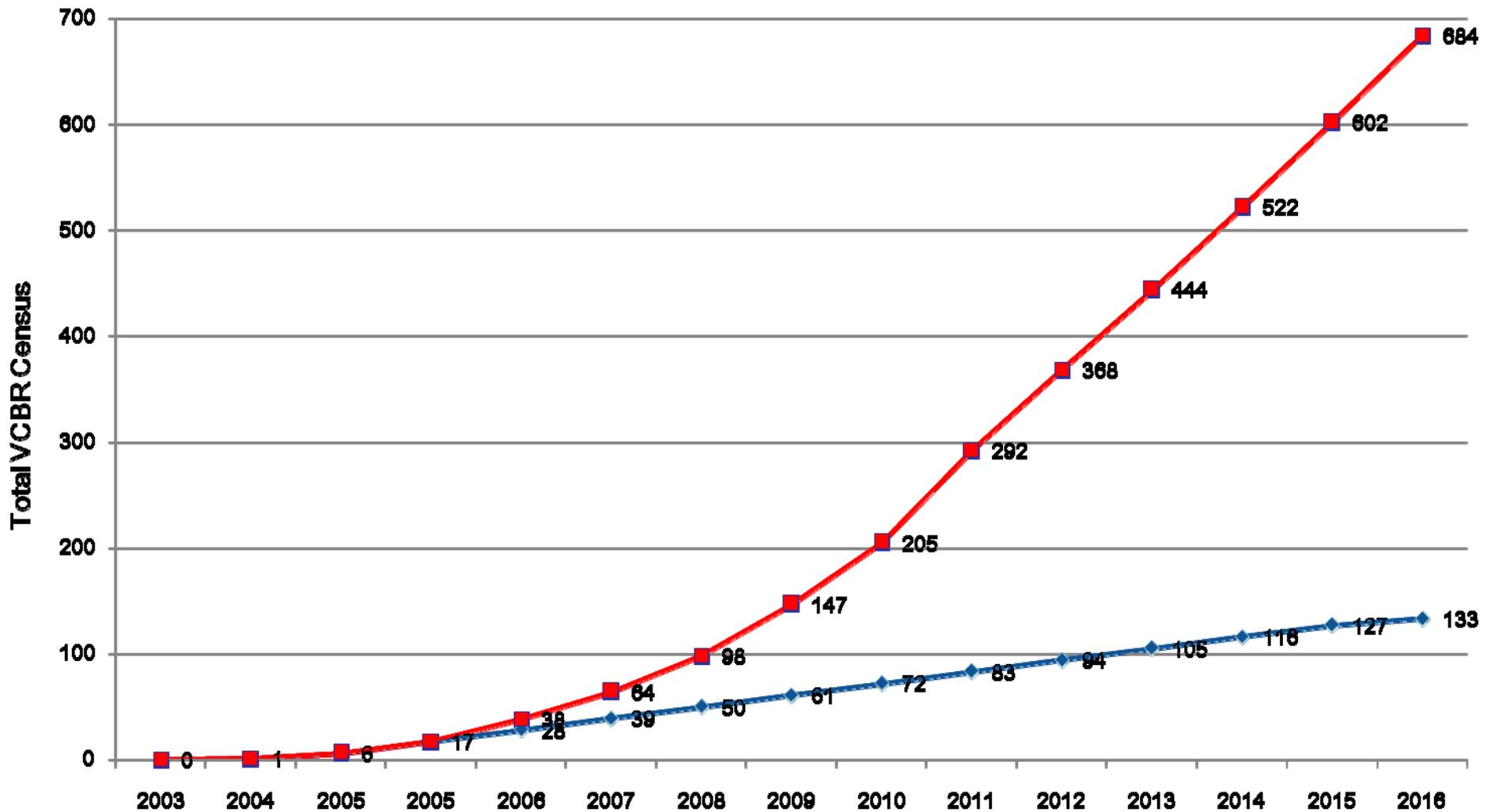
Current List of Predicate Crimes

18-54	Rape, 1950 Code
18.1-44	Rape, 1950 Code
18.2-31 (5)	Capital Murder with sexual assault
18.2-61	Rape
18.2-67.1	Forcible Sodomy
18.2-67.2	Object Sexual Penetration
18.2-48 (ii)	Abduction with sexual intent
18.2-48 (iii)	Abduction of a child < 16 with intent for concubinage or prostitution
18.2-63	Carnal Knowledge of child, 13 to 15 year old
18.2-64.1	Carnal Knowledge of minor in care by caregiver
18.2-67.3	Aggravated Sexual Battery
18.2-31 (1)	Capital Murder in commission of abduction with intent to defile
18.2-32	1st or 2nd degree murder when present with intent to rape, forcible sodomy or inanimate or animate object sexual penetration
	Forcible sexual offense committed prior to July 1, 1981 that constitutes forcible sodomy, object sexual penetration or aggravated sexual battery
	With conspiracy or attempt to commit or attempt any of the above offenses

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Projected Commitment Rate to VCBR



Blue = Pre-2006

Red = Post-2006

VCBR Census Projection

VCBR is currently funded and staffed at 200 beds. As of 12/30/10, there were 243 individuals at VCBR. The census is expected to be 300 between July and August 2011 and will reach 684 in FY16.

SVP Program Estimated Census	End of FY10	End of FY11	End of FY12
Total persons found SVP	212 males	354 males	427 males
	2 female	2 females	3 females
Total persons at VCBR	201	284	356

Addressing Over-Capacity

- 1) Re-open former temporary VCBR on the Petersburg Behavioral Health campus (48-96 beds)
 - \$207,000 in GF in FY12 to re-open
 - Re-opening will take approximately two months
- 2) Open a new, dual-purposed 300-bed facility
 - The new facility's main function would be a "step-down" from VCBR-Burkeville to transition those who are responding well to treatment before they are ready for strictly monitored conditional release to their home communities.
 - Also would be an intensive-security unit for those that resist or refuse to participate in treatment and are a disruptive element in the treatment venue. They would reside in a separate unit designed for more intensive security and control while continuing to offer treatment.

Building Option 1

OPTION 1: Repurposing the existing physical plant at the closed Brunswick Correctional Center

- A number of existing buildings on this site will not be used. Because the repurposing process will not require their demolition, these costs are eliminated from the present estimate.
- The existing food service building was designed for DOC and based on the availability of a large inmate work force being paid less than one dollar an hour. Because the DBHDS operates under different regulations, resident labor must be paid minimum wage, making the present labor intensive kitchen complex unusable. Instead, part of the existing dining facility will be converted to handle storage and distribution of cook-chill meal services.
- Meals, in bulk form, will be prepared by the kitchen at DBHDS Petersburg and delivered to Brunswick.
- The construction of the warehouse facility targeted for repurposing as a residential living is such that minimum demolition will be required.
- Existing buildings can be updated for administrative, treatment programming, educational, vocational, and medical space.

Building Options 2 and 3

OPTION 2: Expansion onto land next to or near the temporary SVP facility in Petersburg

- This site will require the demolition of several existing buildings to clear sufficient land for the construction of a new facility.
- Food service will be cook-chill and provided by DBHDS Petersburg.
- Construction of the new facility can be phased in with demolition of existing buildings.
- Better recruitment of staff.
- Existing sewer and water availability

OPTION 3: Expansion onto land close to the VCBR facility in Nottoway

- No land is presently available for this project. Land purchase price is unknown.
- Construction of a food service facility is included in this option to serve the existing VCBR facility, and the Piedmont Geriatric Hospital.
- Public sewer and water at this site are of insufficient capacity to meet the needs of an additional 300 bed facility.

Estimated Cost and Timeline

Estimated capital and operating costs of each option:

	Repurposing of Brunswick	Petersburg Complex	New Construction
Capital Costs	\$45M	\$65M	\$71M
Operational Costs	\$32.6M	\$29.6M	\$29.6M
Estimated time from funding to occupancy	24 – 30 months	30 to 36 months	30 to 36 months

Construction time for these options ranges between 18 and 36 months.

Planning for Expanded Census

Year	Census	Census	Census	Census	Census	Action
Jan. 1, 2011	252					
July 1, 2011		300				Open 48 beds, Petersburg
Jan. 1, 2012		348				Double-bunk 48 beds, Petersburg
July 1, 2012			396			Open 50 beds, Brunswick
Jan. 1, 2013			444			Open 50 beds, Brunswick
July 1, 2013				492		Open 50 beds, Brunswick
Jan. 1, 2014				540		Open 50 beds, Brunswick
July 1, 2014					588	

SVP/VCBR Budget

The Governor approved a decision brief to cover the FY11 shortfall by moving the FY12 appropriation to FY11. The Governor's budget amendments include:

Item	Total
Fund operation and expansion of staffing to serve full 300-bed capacity at VCBR-Burkeville and temporary 48-bed facility in Petersburg.	\$24.4M
Increase staffing levels at DBHDS to handle increased caseload of the SVP conditional release program.	\$612K
Provide bond authority to plan for and renovate 300-bed step-down facility.	\$43.5M bond
TOTAL	\$25M – GF \$43.5M – Bond